

REMARKS

Claims **13-19** and **27-29** are pending in the application.

Claims **13-19** and **27-29** stand rejected.

Claims **13-14, 17** and **27** have been amended.

Claims **30-35** have been added.

Rejection of Claims under 35 U.S.C. § 103

Claims 13, 14, 16, and 27-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over by Suzuki, et al., U.S. Patent No. 5,796,736 (“Suzuki”), in view of Ceccon et al., U.S. Patent No. 4,660,141 (“Ceccon”).

Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over by Suzuki, in view of Ceccon and further in view of Kremer et al., U.S. Patent No. 5,406,401 (“Kremer”).

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over by Suzuki.

Claims 18 and 19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over by Suzuki in view of Kremer.

While not conceding that the cited references qualify as prior art, but instead to expedite prosecution, Applicants have chosen to respectfully disagree and traverse the rejection as follows. Applicants reserve the right, for example, in a continuing application, to establish that the cited references, or other references cited now or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed.

In order for a claim to be rendered invalid under 35 U.S.C. § 103, the subject matter of the claim as a whole would have to be obvious to a person of ordinary skill in the art at the time

the invention was made. *See* 35 U.S.C. § 103(a). This requires: (1) the references must teach or suggest all of the claim limitations; (2) there must be some teaching, suggestion or motivation to combine references either in the references themselves or in the knowledge of the art; and (3) there must be a reasonable expectation of success. *See* MPEP 2143; MPEP 2143.03; *In re Rouffet*, 149 F.3d 1350, 1355-56 (Fed. Cir. 1998).

As an initial matter, Applicants respectfully request clarification of the reference “Cisco” noted at several points in the Office Action. Applicants are unable to identify such a reference in the record, and given that the only reference in the Office Action is made to “Cisco,” Applicants are unable to identify this reference. Notwithstanding, Applicants have attempted to respond to the Office Action in as meaningful a fashion as possible.

Applicants respectfully submit independent claims 13, 17 and 27 are allowable over Suzuki, even in view of Ceccon and/or Kremer, taken alone or in any permissible combination. Claim 13 reads as follows:

13. A method for propagating information in a network comprising:
automatically assigning an index number to an interface;
automatically transmitting said index number using said interface, wherein
said automatically transmitting said index number using said interface uses a packet routing protocol; and
automatically transmitting said index number using at least one additional interface,
wherein
said automatically transmitting said index number using at least one additional interface uses said packet routing protocol,
said interface and said one additional interface are interfaces among a plurality of interfaces of a circuit switch,
said interface is configured to be coupled to a link,

said circuit switch is configured to store a table, and
said table comprises

an entry indicating a function of said link, and
an entry indicating a predetermined number of contiguous frames that may
be transmitted over said link.

(Emphasis supplied)

As will be appreciated from a careful review of the claims, Applicants respectfully submit claims 17 and 27 are directed to a device and computer program product, and while similar to claim 13, recite limitations that are not addressed in the Office Action.

Applicants respectfully submit that independent claims 13, 17 and 27 are allowable over Suzuki, even in view of Ceccon and/or Kremer, taken alone or in any permissible combination, for at least the reason that none of these references show, teach or suggest:

“...

automatically transmitting said index number using said interface, wherein

said automatically transmitting said index number using said interface uses a packet routing protocol; and

automatically transmitting said index number using at least one additional interface,

wherein

said automatically transmitting said index number using said at least one additional interface uses said packet routing protocol,”

(Emphasis supplied)

It will be further appreciated that none of the cited references would be expected to show, teach or suggest the use of anything comparable to the claimed packet routing protocol because none of these references is directed to such technology in a circuit switched environment. Applicants therefore respectfully submit that the cited references fail to show, teach or suggest all the elements of at least claims 13 and 27.

Nevertheless, Applicants have made every effort to respond to the Office Action's remaining rejections in a meaningful manner. With regard to the independent claims, then, Applicants note that, in contrast to the claimed invention, Suzuki is directed to an ATM network topology auto-discovery method, and more specifically to:

“A network topology discovery method automatically recognizes the physical connection relationships of each ATM switch and each ATM terminal within an ATM network. Each ATM switch and ATM terminal mutually exchanges, by ILMI protocol, port identifiers that identify every ATM port of the ATM switch or ATM terminal as well as network addresses of network management agents that manage the ATM switch and the ATM terminal, to neighboring ATM switches and ATM terminals that are directly connected to its ports. Each ATM switch and ATM terminal stores tables for each of its ATM ports that include port identifiers which indicate the identities of connected ports as well as the network addresses of the network management agents that manage the neighboring ATM switches and ATM terminals. The ATM switches or ATM terminals automatically recognize the local connection relationships with its neighboring ATM switches or ATM terminals, using a network management

system, by accessing connection information and then automatically recognizing the physical connection relationships of each ATM switch and each ATM terminal. The network management system recognizes the configuration within an ATM network, whether the network management system is inside or outside the ATM network, including when a router or existing LAN coexists with the ATM network. The identities of ports connected to each port are recognized, when a plurality of links exist between ATM switches, without requiring the assignment of a respective one of its ATM network management agents to each ATM switch. Interfaces between ATM switches as well as between an ATM switch and an ATM terminal are also automatically identified.” (Suzuki; Abstract)

Nowhere in Suzuki is there taught the use of a packet routing protocol in a circuit switched environment. Ceccon and Kremer fail to cure this infirmity. The Office Action fails to establish the presence of these limitations in the references, alone or in combination.

For at least the foregoing reasons, Applicants respectfully submit that the Office Action fails to present a *prima facie* case of obviousness with regard to claims 13, 17, and 27, and all claims dependent upon them, and that they are in condition for allowance. Applicants therefore request the Examiner’s reconsideration of the rejections to those claims.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5084.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

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